able means to exclude all objectionable jurors, he is deemed to have waived his objections. *State* v. *Smith* (N. M.), 174 Pac. 740.

Cases where the defendant peremptorily challenges the objectionable juror may in turn be divided into (1) cases where the defendant still has peremptory challenges left after the impanelling of the jury is complete, and (2) cases where the defendant in peremptorily challenging the incompetent juror exhausts his peremptory challenges before the impanelling of the jury is complete.

Where the defendant does not exhaust his peremptory challenges, the better view is that the error is not reversible since the defendant is in no way injured by the erroneous ruling. The incompetent juror does not sit, and the defendant has peremptory challenges left which he could have used had he so desired. *Hopt* v. *Utah*, 120 U. S. 430; *Richards* v. *United States*, 99 C. C. A. 401, 175 Fed. 911; *McGowan* v. *State*, 17 Tenn. 184; *Preswood* v. *State*, 50 Tenn. 467; *People* v. *Larubio*, 140 N. Y. 87, 35 N. E. 412. The Virginia courts, on the other hand, hold that such an error of the court is not cured by the subsequent exclusion of the juror, although the defendant has not exhausted his peremptory challenges, because nothing should preclude the defendant's right to challenge an incompetent juror for cause. *Dowdy* v. *Commonwealth*, 9 Gratt. (Va.) 727.

Cases in which the defendant exhausts his peremptory challenges before the impanelling of the jury is complete may be divided into (1) cases where no objectionable juror is forced upon the defendant, and (2) cases where an objectionable juror is forced upon the defendant. The better view is that it is immaterial whether an objectionable juror is forced upon the defendant or not; he is nevertheless prejudiced since his peremptory challenges are thereby exhausted. *People* v. *Casey*, 96 N. Y. 115. But it is argued and with some reason that the defendant cannot object so long as there is an impartial jury of twelve men, none of whom are objectionable to the defendant. *People* v. *Schafer*, 161 Cal. 573, 119 Pac. 920; *Sullins* v. *State*, 79 Ark. 127, 95 S. W. 159. But certainly in the second class of cases where because of having exhausted his peremptory challenges the defendant is forced to accept an objectionable juror, he is entitled to a new trial. *People* v. *Riggins*, 159 Cal. 113, 112 Pac. 862; *Commonwealth* v. *Vitale*, 250 Pa. 552, 95 Atl. 724.

DISTURBANCE OF PUBLIC ASSEMBLIES—ASSEMBLAGE FOR RELIGIOUS WORSHIP—DISTURBANCE AFTER DISMISSAL.—A State statute provided punishment for persons disturbing a congregation assembled for religious worship. A congregation assembled for this purpose and was dismissed by the pastor. Immediately thereafter a difficulty occurred on the church grounds and cursing and shooting resulted, causing a part of the congregation, which was then in the church yard to become frightened and to run in various directions. The persons creating the disturbance were indicted under the statute for the disturbance of religious worship. *Held*, the defendants are guilty. *State* v. *Matheny* (S. C.), 101 S. E. 661.

The decision in this case follows the great weight of authority. Similar statutes in other States are similarly construed. In Texas, the meeting is protected so long as any part of the congregation remains on the premises, either before, during or after services. *Dawson* v. *State,* 7 Tex. App. 59; *Love* v. *State,* 35 Tex. Cr. App. 27, 29 S. W. 790. See also *Tanner* v. *State,* 126 Ga. 77, 54 S. E. 914. The meeting is protected if assembled for religious purposes though religious exercises are not then in progress. *Ellis* v. *State,* 10 Ala. App. 252, 65 South. 412. An offense is committed if the disturbance occurs either before or after service, provided the congregation be assembled for religious worship. *Commonwealth* v. *Jennings,* 3 Gratt. (Va.) 624. Under a statute prohibiting the disturbance of any assemblage of persons "met for religious worship," it was held to be an offense to create a disturbance while a portion of the congregation were still in the house before a reasonable time had elapsed for their dispersal, although the congregation had been dismissed. *Kinney* v. *State,* 38 Ala. 224. But it is not necessary that the congregation shall have remained in the house. One who disturbed the members of a church while they were eating a basket lunch outside the church during an intermission between services was also held guilty under the Alabama statute. *Ellis* v. *State, supra.* The same rule applies where the people remain around the building to prepare and eat their own food. *Minter* v. *State,* 104 Ga. 743, 30 S. E. 989; *Folds* v. *State,* 123 Ga. 167, 51 S. E. 305.

Missouri appears to be the only State which holds *contra* to this view. No conviction can be had in that State under a statute prohibiting the disturbance of an assembly "met for religious worship" for a disturbance after the minister has dismissed the congregation, but before it has left the building. *State* v. *Leonard,* 141 Mo. App. 416, 125 S. W. 234. Special interpretation seems to be put upon the word "met" in that State. See *State* v. *Leonard, supra.* A disturbance of a camp meeting at night after the congregation had dispersed and the people retired to rest is not within the prohibition of the statute. *State* v. *Edwards,* 32 Mo. 548. But upon similar facts it has been held in Virginia that such a disturbance is within the prohibition of the statute. *Commonwealth* v. *Jennings, supra.*

PARENT AND CHILD—DUTY OF SUPPORT—ENFORCEMENT OF DUTY BY CHILD. —A father wilfully neglected and refused to support his infant children. The children, by their next friend, filed a bill in equity petitioning the court to compel the father to maintan them. The father demurred to the bill on the ground that the duty of support cannot be enforced in equity. *Held,* the demurrer is sustained. *Rawlings* v. *Rawlings* (Miss.), 83 South. 146. For discussion of principles involved, see NOTES, p. 448.